## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

The STATES of TENNESSEE and LOUISIANA *ex rel.* GREGORY FOLSE,

Plaintiffs,

V.

MARQUIS "MARK" NAPPER, JOSHUA KILGORE, DANIEL BIRD, CARE SERVICES MANAGEMENT LLC, MARQUIS MOBILE DENTAL SERVICE LLP, MARQUIS HEALTH SYSTEMS LLP, SALLY B DALY DDS LLC d/b/a FLEUR DE LIS MOBILE DENTAL.

Defendants.

Civil Action No. 3:17-cv-01478 JUDGE TRAUGER

## UNOPPOSED MOTION FOR ADDITIONAL TIME TO RESPOND TO THE CSM DEFENDANTS' MOTIONS TO DISMISS

The states of Tennessee and Louisiana and Relator Gregory Folse, respectfully request, pursuant to Fed. R. Civ. P. 6(b)(1)(A), additional time to respond to the motions to dismiss filed by Defendants Care Services Management LLC, Marquis Health Systems LLC, Marquis Mobile Dental Service LLC, Marquis "Mark" Napper, Joshua Kilgore, and Daniel Bird (the CSM Defendants). The CSM Defendants moved to dismiss the states of Tennessee and Louisiana's Complaint in Intervention on March 31 (Docket No. 89) and April 1, 2021 (Docket No. 95) and to dismiss the Relator's Amended Complaint on April 1, 2021 (Docket No. 93). Responses to these three motions are currently due April 14 and 15, 2021. We are seeking response dates of May 12, 2021.

The defendants do not oppose this motion.

## Respectfully submitted,

STATE OF TENNESSEE

HERBERT H. SLATERY III (BPR #009077)

Attorney General and Reporter

Tessa.Ortiz-Marsh@ag.tn.gov

PHILIP BANGLE (BPR #031636)
SCOTT CORLEY (BPR #037235)
TESSA ORTIZ-MARSH (BPR# 036297)
Assistant Attorneys General
Medicaid Fraud & Integrity Division
Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, Tennessee 37202
(615) 741-3054
Philip.Bangle@ag.tn.gov
Scott.Corley@ag.tn.gov

STATE OF LOUISIANA JEFF LANDRY Attorney General

s// Nicholas J. Diez

Nicholas J. Diez, La. Bar 31701 (Pro Hac Vice) Matthew P. Stafford, Jr., La. Bar 32706 (Pro Hac Vice)

Assistant Attorneys General Medicaid Fraud Control Unit Louisiana Department of Justice 1885 N. Third St. Baton Rouge, LA 70802

Tel: (225)326-6210 Fax: (225)326-6295

Email: staffordm@ag.louisiana.gov Email: diezn@ag.louisiana.gov

s// Erika A. Kelton

Erika A. Kelton
James Wiseman
PHILLIPS & COHEN LLP
2000 Massachusetts Avenue, NW
Washington, DC 20036
(202) 833-4567
EKelton@phillipsandcohen.com
JWiseman@phillipsandcohen.com
Attorneys for Relator Gregory Folse

s// Michael Hamilton

Michael Hamilton Provost-Umphrey Law Firm, LLP 4205 Hillsboro Pike, Suite 303 Nashville, Tennessee 37215 (615) 297-1932 MHamilton@pulf.com Attorneys for Relator Gregory Folse

## CERTIFICATE OF MAILING AND/OR DELIVERY

I hereby certify that on April 8, 2021, I caused to be served the Motion for Additional Time to Respond on the following in the following manner:

By CM/ECF:

Kara F. Sweet Assistant United States Attorney United States Attorney's Office Middle District of Tennessee 110 9 <sup>th</sup> Avenue South, Suite A-961 Nashville, Tennessee 37203-3870 (615) 736-5151 Kara.Sweet@usdoj.gov	Gary Blackburn Bryant Kroll The Blackburn Firm, PLLC 213 Fifth Avenue North, Suite 300 Nashville, Tennessee 37219 (615) 254-7770 bkroll@wgaryblackburn.com gblackburn@wgaryblackburn.com
Nicholas J. Diez Matthew P. Stafford Assistant Attorneys General Louisiana Department of Justice P.O. Box 94005 Baton Rouge, Louisiana 70804 DiezN@ag.louisiana.gov StaffordM@ag.louisiana.gov	Michael Hamilton Provost-Umphrey Law Firm, LLP 4205 Hillsboro Pike, Suite 303 Nashville, Tennessee 37215 (615) 297-1932 MHamilton@pulf.com
Erika A. Kelton James Wiseman PHILLIPS & COHEN LLP 2000 Massachusetts Avenue, NW Washington, DC 20036 (202) 833-4567 EKelton@phillipsandcohen.com JWiseman@phillipsandcohen.com	Jennifer Weaver Waller, Lansden, Dortch & Davis Nashville City Center 511 Union Street, Suite 2100 Nashville, Tennessee 37219 (615) 244-6380 Jennifer.Weaver@wallerlaw.com
Bradley C. Myers Linda G. Rodrigue Kean Miller LLP 400 Convention Street, Suite 700 Baton Rouge, Louisiana 70802 (225) 387-0999 Brad.Myers@keanmiller.com Linda.Rodrigue@keanmiller.com	W. l

Philip Bangle